

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Pir Mumtaz Khan, et al.,

Plaintiffs,

—v—

Joseph McElroy, et al.,

Defendants.

USDC SDNY
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13-cv-5043 (AJN)

ORDER

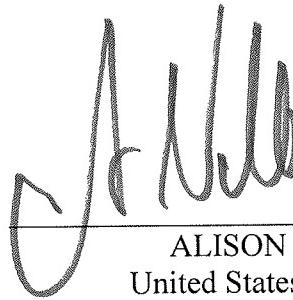
ALISON J. NATHAN, District Judge:

Before the Court is Judge Francis' report and recommendation ("R & R") recommending that the Court dismiss this action for failure to obey a pretrial order and for failure to prosecute, pursuant to Rule 16(f)(1) and Rule 41(b) of the Federal Rules of Civil Procedure. *See* Dkt. No. 52. Under 28 U.S.C. § 636(b)(1), the Plaintiffs had until May 11, 2015 to file any objections to Judge Francis' R & R. When a magistrate judge issues findings or recommendations, the district court "may accept, reject, or modify [them] in whole or in part." 28 U.S.C. § 636(b) (1). When no party has filed objections to the magistrate's R & R, the Court reviews it only for clear error. *See Gomez v. Brown*, 655 F.Supp.2d 332, 341 (S.D.N.Y. 2009). "A decision is 'clearly erroneous' when the reviewing Court is left with the definite and firm conviction that a mistake has been committed." *Courtney v. Colvin*, 13-cv-02884 (AJN), 2014 WL 129051, at *1 (S.D.N.Y. Jan. 14, 2014).

Defendants having filed no objections to the R & R, and the Court finding no clear error therein, the Court adopts the R & R in its entirety. This case is therefore DISMISSED and the Clerk of Court is instructed to terminate the case.

SO ORDERED.

June 4
Dated: May 4, 2015
New York, New York

A handwritten signature in black ink, appearing to read "ALISON J. NATHAN".

ALISON J. NATHAN
United States District Judge